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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/042,367   | 01/11/2002  | Kevin Scott Beyer    | ARC920010085US1     | 6325             |
| 26381  | 7590        | 06/12/2006           | EXAMINER            |                  |
| LACASSE & ASSOCIATES, LLC<br>1725 DUKE STREET<br>SUITE 650<br>ALEXANDRIA, VA 22314 |             |                      | RIMELL, SAMUEL G    |                  |
|  |             |                      | ART UNIT            | PAPER NUMBER     |
|  |             |                      | 2164                |                  |

DATE MAILED: 06/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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|                              |                                      |                                     |  |
|------------------------------|--------------------------------------|-------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/042,367 | <b>Applicant(s)</b><br>BEYER ET AL. |  |
|                              | <b>Examiner</b><br>Sam Rimell        | <b>Art Unit</b><br>2164             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-11 and 17-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-11, 17-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



**SAM RIMELL**  
**PRIMARY EXAMINER**

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 7-11, 17-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Kraft et al. (U.S. Patent 6,516,312).

Claim 1: FIG.6A defines a log file having a logged set of search results. Some of results, such as the term “RMI” where actual user queries used to determine the results (see col. 8, lines 56-57 where the term “RMI” is a user query that also appears in the log file displayed in FIG. 6A). The user can analyze the log file of FIG. 6A and generate a synthetic query (i.e. an automatic query) by simply pressing the hypertext “RMI” in FIG. 6A, which generates an additional query at the web browser (14), which constitutes a web crawler. The results are displayed in FIG. 6B.

Claim 2: FIG. 6A illustrates the parameters, which are keywords (“RMI”) and URLs that contain the keyword. The data entries in FIG. 6A are ranked from 1-5, indicating at least a single occurrence of the keyword “RMI”. As seen in FIG. 6A, any further entries beyond the fifth ranked hit are excluded, as the ranked list only shows 5 hits. FIG. 6A further illustrates multiple entries, which constitute combinations of entries that can be used for the synthetic queries.

Claim 3: FIG. 6A and 6B illustrate multiple instances of the term “RMI” which can be queried as a synthetic query. These multiple instances constitute “combinations of entries”.

Claim 4: The entries illustrated in FIG. 6A can either be referred as limited text entries since they are abstracts, or unlimited text entries since they are linked to complete articles. Since each one of entries in FIG. 6A is an abstract, it inherently has certain words removed in comparison to the full and complete article. It is also observed that certain stop words, such as “by”, “and”, “the” do not appear in any of the entries. Certain words are abbreviated, such as the month of publication and the author’s full name.

Claim 5: The log file (FIG. 6A) is maintained by the proxy server (100).

Claim 7: FIG. 3 illustrates a log file (260). The log file contains abstracts obtained from both a web crawler (200) and previous queries by the user at browser (140—col. 7, lines 4-6 and col. 7, lines 54-60). Using the log file (260) a set of possible queries are identified. These are illustrated in FIG. 6A as underlined terms. Queries are considered to be “HTML form input data” since they are hyperlink data that are entered into forms, such as the interface of FIG. 6A or a user browser (col. 6, lines 18-23). The queries are made by clicking on the underlined keyword. Each query is a synthesis of information, including limited text entry (an abstract), predefined sets (a URL) and unlimited text entry (linkage to the full article). The queries are automatically provided to the user at browser (140), which is also readable as a web crawler because it can traverse websites.

Claim 8: The abstract portions of the query entries in FIG. 6A are maintained in log file (260). However, the entire abstract with the keywords are stored in a separate log file (120—col. 7, lines 33-35).

Claim 9: Both the log files (260) and (120) are maintained by a proxy server (100).

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Claim 10: FIG. 6A illustrates one single set of ranked entries. Each entry can be referred to as one of a predetermined set, limited text entry or unlimited text entry for the reasons set forth in claim 7. Entries beyond the fifth entry are excluded. FIG. 6A further illustrates paired entries. For example, each keyword entry is paired to a URL entry.

Claim 11: Each of the entries shown in FIG. 6A are abstracts and thus inherently have certain words removed in comparison the original text. In addition, certain stop words, such as “by”, “and”, “the” do not appear in the text of FIG. 6A.

Claim 17: See remarks for claims 1 and 2.

Claim 18: See remarks for claim 4.

Claim 19: See remarks for claim 5.

#### Remarks

Applicant's arguments have been considered.

Applicability of prior art: At page 11, second paragraph, applicant has argued that a shift to a section 103 rejection would disqualify the Kraft reference from use as prior art. This argument is moot, as no such shift has been made. The Kraft reference has been applied under 35 USC 102(e) and can be properly applied under this statute.

Independent claims 1, 7, 17: At page 10, last paragraph, applicant argues that “..Kraft generates all secondary searches from a result set and the presently claimed query log.” This argument is incorrect as none of the claims of record make nay mention of a query log. The argument is also moot, since the claim limitation to a query log is not presented.

At page 11, last paragraph, applicant argues that “The Kraft reference teaches away from the present invention by generating a new search result from previously prepared abstracts

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and by providing additional supplemental information to each user.” This argument is moot, as none of independent claims detail the nature of any search results so as to exclude any form of new search results or exclude additional information.

At page 12, last paragraph, applicant argues “In other words, the presently claimed invention seeks to reverse engineer a manual access of web content by automatically answering a question (i.e. input field name) presented by a web site with an answer (i.e. input value) based on a stored set of user responses (i.e. parameter values) to the same question (i.e. parameter name) presented by the same www forum.” This argument is moot, as not such limitations appear in any of the claims. Even the broader terms, such as “input field name” and “parameter name” do not appear in the claims.

At page 13, first paragraph, applicant argues that the abstracts maintained in the log file cannot be used to determine parameter combinations. This argument is not correct. The log file of FIG. 6A generates hyperlinks such as “RMI” which are a combination of parameters that define the location of a website. A user manually determines that a certain hyperlink, such as RMI, and then executes the query by pressing the hyperlink.

Claims 2, 3, 6: Applicant argues that Kraft et al. does not disclose ranking query entries. This argument is not correct. Each hyperlink to “RMI” is a potential query which can be executed. Each abstract containing the hyperlink “RMI” is ranked from 1 through 5, as seen in FIG. 6A.

Claims 4, 10, 11 and 18: Applicant argues that within the abstract, no indication is made that stop words have been removed. This argument is not correct. An abstract inherently removes

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certain words from full text. Stop words such as “by” “and” and “the” do not appear in any of the abstracts of FIG. 6A and thus would have been removed from a full text article.

Claims 5, 9 and 13: Applicant argues that the search service provider in Kraft et al. is a client server and not a proxy server, by reason that the proxy server is hidden from the client. However, in applicant’s disclosure, particularly in FIG. 2, the client has a direct connection path to both the web servers (204) and the proxy server (206). Accordingly, applicant’s argument that proxy server is hidden from the client is in direct contradiction to what is illustrated in FIG. 2. Furthermore, in applicant’s own specification, page 14, lines 3-6 and 10-11, applicant explicitly states that the client first makes a direct connection to the proxy server and communicates with that proxy server. Accordingly, applicant’s definition of a proxy server as being hidden from the client directly contradicts applicant’s own disclosure in the specification. In applicant’s invention, the client directly communicates with the proxy server. Examiner maintains that the server (100) of Kraft et al. is in fact a proxy server because of its direct connection to the client, and applicant’s teachings in the specification support this interpretation.

Claim 8: Applicant argues that Kraft lacks a log file. Examiner maintains that the out shown in FIG. 6A is a log file, by reason that it is record of the results of some activity. Lacking any further definition in the claims as to exactly what constitutes a log file, the output of FIG. 6A is readable as a log file.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Sam Rimell at telephone number (571) 272-4084



Sam Rimell  
Primary Examiner  
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